

**REPLIES TO QUESTIONNAIRE ON IMPORT
LICENSING PROCEDURES¹**

Notification under Article 7.3 of the Agreement on
Import Licensing Procedures

URUGUAY

Addendum

The following communication, dated 4 October 2012, is being circulated at the request of the delegation of Uruguay.

Outline of systems

1. Automatic licensing in Uruguay

- (a) Licences for certain textile tariff headings listed in the Annex to Decree No. 394/00.

National Directorate of Industry (DNI) automatic import licensing regime for statistical purposes (in effect since February 2001).

- (b) Licences for the importation of edible oils (Mercosur Common Nomenclature (NCM) headings 1507.90.11.00, 1507.90.19.00, 1512.19.11.00, 1512.19.19.00, 1515.29.10.00, 1515.29.90.00, 1515.90.00.19, 1515.90.00.99, 1517.90.10.00 and 1517.90.90.00). Decree No. 275/001.

The importation of oils classified under the above NCM headings (1507.90.11.00, 1507.90.19.00, 1512.19.11.00, 1512.19.19.00, 1515.29.10.00, 1515.29.90.00, 1515.90.00.19, 1515.90.00.99, 1517.90.10.00, 1517.90.90.00) requires, as a precondition, the filing of an import application with the DNI of the Ministry of Industry, Energy and Mines (MIEM), which will forward it immediately to the Trade Policy Advisory Office of the Ministry of the Economy and Finance.

The DNI and the Trade Policy Advisory Office will approve such applications when received in appropriate and complete form.

- (c) Licences for all headings for footwear and parts thereof (Chapter 64). Decree No. 251/005.

¹ See document G/LIC/3, Annex, for the questionnaire.

The importation of products listed in Chapter 64 of the NCM will be subject to the prior filing of an import application with the DNI of the MIEM, which will approve such applications when received in appropriate and complete form.

(d) Products of the automotive industry:

- Granting of benefits and quota administration. Decree No. 316/992; Decree No. 60/999; Economic Complementarity Agreement (ACE) No. 2.
- New vehicles. Decree No. 727/991 as reworded in Decree No. 225/005. The prior licensing system for automotive products is automatic. The DNI gathers information for statistical purposes, verifies the declared value and transmits it to the customs authority for purposes that may be relevant to the Valuation Agreement, and lastly establishes the tariff preference that is applicable under the relevant trade agreement, the availability of tariff quotas, etc.

(e) Licences for the importation of publishing paper. Decree No. 218/996 (NCM heading 4801.10.00.00).

The Paper Commission, which is under the purview of the DNI of the MIEM, is the authority responsible for authorizing newspaper firms, publishing companies and importers acting on behalf of third parties that are direct users, to import, at a 0 per cent rate, paper intended for printing books, directories, newspapers and other periodicals of general interest under subheadings 4801.00, 4802.51, 4802.52, 4802.53, 4802.60, 4810.11, 4810.21 and 4810.29 of the Nomenclature.

Non-automatic licensing in Uruguay

(a) Exemptions from import prohibition: Article 318 of Law No. 18.172: Diesel engines and kits. Decrees Nos. 290/008 and 277/009.

Non-automatic import licence issued by the MIEM. The DNI will issue a licence if the party concerned provides written proof that the goods to be imported are to be used for the purposes indicated in Decree No. 290/008.

(b) Raw and refined sugar for industrial purposes (NCM headings 1701.11.00.00 and 1701.12.00.00) and refined sugar (NCM headings 1701.91.00.00 and 1701.99.00.00). Decrees Nos. 57/006 and 284/011.

Uruguay allows the importation of refined sugar for industrial use with a tariff preference of 100 per cent, subject to the presentation of a certificate of industrial use.

To obtain the licence, companies must register with the Uruguayan Technological Laboratory (LATU), which will verify the destination of the sugar and the price to be paid by the importer.

Uruguay also allows the importation of raw sugar for industrial use with a tariff preference of 100 per cent, subject to the obtaining of a certificate issued by the Ministry of Livestock, Agriculture and Fisheries.

(c) Licences for the importation of acetic acid. Decree No. 75/009 (NCM headings 2915.21.00.10 and 2915.21.00.90).

Article 4 of Decree No. 75/009 provides that the importation of acetic acid shall be subject to the requirement that a prior import licence be issued by the DNI.

- (i) For food-grade acetic acid, the granting of a licence is subject to LATU verification of the relevant food grade.
- (ii) For other acetic acids, a licence will only be granted if the application has been duly completed and it has been proved, by means of the declarations prescribed by Article 2 of Decree No. 75/009, that previous imports by the applicant were used properly.

Purposes and coverage of licensing

2.

- Licences for a certain textile tariff headings listed in the Annex to Decree No. 394/00.
- Licences for the importation of oils (NCM headings 1507.90.11.00, 1507.90.19.00, 1512.19.11.00, 1512.19.19.00, 1515.29.10.00, 1515.29.90.00, 1515.90.00.19, 1515.90.00.99, 1517.90.10.00 and 1517.90.90.00).
- Licences for all headings for footwear and parts thereof (Chapter 64).
- Raw sugar (NCM headings 1701.11.00.00, 1701.12.00.00) and refined sugar (NCM headings 1701.91.00.00 and 1701.99.00.00) for industrial purposes.
- Licences for the automotive sector. Licences for the importation of new vehicles (Chapter 87) and auto-parts from Brazil entering under ACE No. 2 (Decreets Nos. 128/70, 473/70, 727/91, 316/92, 340/96, 60/99 and 273/99).
- Licences for the importation of publishing paper, Decree No. 218/996 (NCM heading 4801.10.00.00).
- Acetic acid (NCM headings 2915.21.00.10; 2915.21.00.90).

3.

- (a) Licences for a group of textile headings for trade with third countries.
- (b) Licences for the importation of oils, irrespective of origin.
- (c) Licences for all headings for footwear and parts thereof (Chapter 64), irrespective of origin.
- (d) Raw and refined sugar for industrial purposes: applied for tariff preferences.
- (e) New vehicles, irrespective of origin. Auto-parts.
- (f) Licences for the importation of publishing paper, irrespective of origin.
- (g) Licences for the importation of acetic acid, irrespective of origin.
- (h) Exemptions from import prohibition for diesel engines and kits, irrespective of origin.

4. Licensing is not intended to restrict the quantity of imports.

Purpose of licences: statistical purposes (for textiles, footwear and oils), granting of tariff preferences to third parties and statistical purposes (automotive industry), granting of tariff exemptions on domestic products (publishing paper, vehicles, sugar, diesel engines and kits) and human health care (acetic acid).

5. All the licences mentioned were introduced by Executive Decrees which specify the tariff headings included in the system.

Licensing is therefore mandatory in cases where this is established by Decree, and the application or non-application of the system is not left to administrative discretion. For sugar, licences serve to access a tariff preference, and are not mandatory for carrying out a non-preferential operation.

The Executive may abolish the system without legislative approval.

Procedures

- 6.I-IV. There are no quotas for or restrictions on the importation of goods subject to a licensing obligation. Imports of sugar are based on an assessment of the normal consumption and/or local market prices of the importing companies.

- V. The minimum length of time for the processing of licences for oils, sugar, footwear, publishing paper, acetic acid and automotive products is 48 hours. For textiles, applications are approved immediately (provided that they are submitted in appropriate and complete form and are administratively feasible).

The maximum length of time for the processing of licences for oils, footwear, publishing paper, automotive products and textiles is ten working days.

The maximum length of time for processing licences for sugar and acetic acid is ten working days subject to compliance with the requirements set forth in the legislation.

The maximum length of time for processing licences to import diesel engines and kits is 15 working days (as from the day following that when the application is filed). Where the advice of another ministry is required, this period will be extended by an additional ten days (Decree No. 290/008).

- VI. Upon approval of the licence, the single customs document (DUA) may be registered immediately.

- VII. In the case of licences for oils, footwear and textiles, publishing paper, automotive products and acetic acid, the interested party submits the application to the DNI. The data are processed, the licence is issued and communicated directly to the National Customs Directorate (electronically). The interested party must submit it to the National Customs Directorate.

Import licences for refined sugar are processed by the LATU, while import licences for raw sugar are processed by the Ministry of Agriculture, Livestock and Fisheries.

- VIII-XI. Not applicable, since these are automatic licences for statistical or price-control purposes, involving no restriction on imports.

7.(a-d) All licence applications are dealt with in chronological order.

Nor is there any provision for the urgent processing of licence applications.

Textiles, footwear and oils: licences are submitted to the DNI of the MIEM for processing. In addition to the approval of the DNI, that of the Trade Policy Advisory Unit of the Ministry of the Economy and Finance is also required. The importer thus deals with only one body. Licences for publishing paper are submitted for processing and approval to the Paper Commission, which is under the purview of the DNI.

8. Not applicable.

Eligibility of importers to apply for licences

9. The importer or body authorized to engage in importation is entitled to apply for a licence subject to registration.

In the case of sugar, licence applications may be submitted only by industrial enterprises which demonstrate that the product is used for industrial purposes.

In the case of paper, licence applications may be submitted only by publishers which demonstrate that the paper is used for publishing purposes.

Documentation and other requirements for licence applications

10. The forms have not changed from those notified previously. Presentation of a commercial invoice will be requested in all cases.

11. The documents normally needed for the issue of the DUA are required in all cases.

12. The DNI charges UR 0.2 per licence. The adjustable unit (UR) is an adjustable amount based on the average wage index and calculated by the National Statistical Institute.

13. This is not the case in Uruguay.

Conditions of licensing

14. The licences referred to are valid for 60 days, except for those relating to the automotive sector and sugar, which are valid for 90 days. Longer periods require a new licence application to be submitted.

15. There is no penalty for the partial utilization or non-utilization of a licence.

16. Licences are not transferable, except in the case of sugar, where the prior agreement of the DNI must be obtained and no change must be made to the authorized volume or the industrial enterprise which uses the input.

17. There are no other conditions.

Other procedural requirements

18-19. Possession of a licence is not a prerequisite for obtaining foreign exchange. Foreign exchange is freely available in Uruguay and there are no restrictions on the transfer of capital or profits from or to foreign countries.

Note: List of acronyms used in this document:

MIEM	Ministry of Industry, Energy and Mines
DNI	National Directorate of Industry
MEF	Ministry of the Economy and Finance
APC	Trade Policy Advisory Unit
DNA	National Customs Directorate
DUA	Single Customs Document
DGI	Directorate-General of Taxation
BPS	Social Insurance Bank
UR	Adjustable Unit
INE	National Statistical Institute
